

**E2SHB 2418** - S COMM AMD  
By Committee on Ways & Means

ADOPTED 03/03/2006

1 Strike everything after the enacting clause and insert the  
2 following:

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 43.185  
4 RCW to read as follows:

5 The legislature finds that Washington is experiencing an affordable  
6 housing crisis and that this crisis is growing exponentially every year  
7 as the population of the state expands and housing values increase at  
8 a rate that far exceeds most households' proportionate increase in  
9 income.

10 The fiscal and societal costs of the lack of adequate affordable  
11 housing are high for both the public and private sectors. Current  
12 levels of funding for affordable housing programs are inadequate to  
13 meet the housing needs of many low-income Washington households.

14 NEW SECTION. **Sec. 2.** The legislature may authorize a transfer of  
15 up to twenty-five million dollars for the fiscal year ending June 30,  
16 2006, into the Washington housing trust fund created in RCW 43.185.030.  
17 Any portion of this act that is appropriated to the department shall be  
18 included in the calculation of annual funds available for determining  
19 the administrative costs of the department, which shall not exceed five  
20 percent of the annual funds available for the housing assistance  
21 program and the affordable housing program as authorized under RCW  
22 43.185.030 and 43.185A.030.

23 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.185 RCW  
24 to read as follows:

25 The application process and distribution procedure for the  
26 allocation of funds are the same as the competitive application process  
27 and distribution procedure for the housing trust fund, described in  
28 this chapter and chapter 43.185A RCW, except for the funds applied to

1 the homeless families services fund created in RCW 43.330.167, dollars  
2 appropriated to weatherization administered through the energy  
3 matchmaker program, dollars appropriated for housing vouchers for  
4 homeless persons, victims of domestic violence, and low-income persons  
5 or seasonal farm workers, and dollars appropriated to any program to  
6 provide financial assistance for grower-provided on-farm housing for  
7 low-income migrant or seasonal farm workers.

8 NEW SECTION. **Sec. 4.** A new section is added to chapter 43.185A  
9 RCW to read as follows:

10 The application process and distribution procedure for the  
11 allocation of funds are the same as the competitive application process  
12 and distribution procedure described in section 3 of this act.

13 NEW SECTION. **Sec. 5.** The department must report to the  
14 appropriate committees of the legislature how appropriated funds were  
15 utilized on a county or city specific basis no later than December 31,  
16 2007.

17 **Sec. 6.** RCW 43.185C.010 and 2005 c 484 s 3 are each amended to  
18 read as follows:

19 The definitions in this section apply throughout this chapter  
20 unless the context clearly requires otherwise.

21 (1) "Department" means the department of community, trade, and  
22 economic development.

23 (2) "Director" means the director of the department of community,  
24 trade, and economic development.

25 (3) "Homeless person" means an individual living outside or in a  
26 building not meant for human habitation or which they have no legal  
27 right to occupy, in an emergency shelter, or in a temporary housing  
28 program which may include a transitional and supportive housing program  
29 if habitation time limits exist. This definition includes substance  
30 abusers, mentally ill people, and sex offenders who are homeless.

31 (4) "Washington homeless census" means an annual statewide census  
32 conducted as a collaborative effort by towns, cities, counties,  
33 community-based organizations, and state agencies, with the technical  
34 support and coordination of the department, to count and collect data  
35 on all homeless individuals in Washington.

1 (5) "Homeless housing account" means the state treasury account  
2 receiving the state's portion of income from revenue from the sources  
3 established by RCW 36.22.179.

4 (6) "Homeless housing grant program" means the vehicle by which  
5 competitive grants are awarded by the department, utilizing moneys from  
6 the homeless housing account, to local governments for programs  
7 directly related to housing homeless individuals and families,  
8 addressing the root causes of homelessness, preventing homelessness,  
9 collecting data on homeless individuals, and other efforts directly  
10 related to housing homeless persons.

11 (7) "Local government" means a county government in the state of  
12 Washington or a city government, if the legislative authority of the  
13 city affirmatively elects to accept the responsibility for housing  
14 homeless persons within its borders.

15 (8) "Housing continuum" means the progression of individuals along  
16 a housing-focused continuum with homelessness at one end and  
17 homeownership at the other.

18 (9) "Local homeless housing task force" means a voluntary local  
19 committee created to advise a local government on the creation of a  
20 local homeless housing plan and participate in a local homeless housing  
21 program. It must include a representative of the county, a  
22 representative of the largest city located within the county, at least  
23 one homeless or formerly homeless person, such other members as may be  
24 required to maintain eligibility for federal funding related to housing  
25 programs and services and if feasible, a representative of a private  
26 nonprofit organization with experience in low-income housing.

27 (10) "Long-term private or public housing" means subsidized and  
28 unsubsidized rental or owner-occupied housing in which there is no  
29 established time limit for habitation of less than two years.

30 (11) "Interagency council on homelessness" means a committee  
31 appointed by the governor and consisting of, at least, (~~the director~~  
32 ~~of~~) policy level representatives of the following entities: (a) The  
33 department of community, trade, and economic development; (b) the  
34 (~~secretary of the~~) department of corrections; (c) the (~~secretary of~~  
35 ~~the~~) department of social and health services; (d) the (~~director of~~  
36 ~~the~~) department of veterans affairs; and (e) the (~~secretary of the~~)  
37 department of health.

1 (12) "Performance measurement" means the process of comparing  
2 specific measures of success against ultimate and interim goals.

3 (13) "Community action agency" means a nonprofit private or public  
4 organization established under the economic opportunity act of 1964.

5 (14) "Housing authority" means any of the public corporations  
6 created by chapter 35.82 RCW.

7 (15) "Homeless housing program" means the program authorized under  
8 this chapter as administered by the department at the state level and  
9 by the local government or its designated subcontractor at the local  
10 level.

11 (16) "Homeless housing plan" means the ten-year plan developed by  
12 the county or other local government to address housing for homeless  
13 persons.

14 (17) "Homeless housing strategic plan" means the ten-year plan  
15 developed by the department, in consultation with the interagency  
16 council on homelessness and the affordable housing advisory board.

17 (18) "Washington homeless client management information system"  
18 means a data base of information about homeless individuals in the  
19 state used to coordinate resources to assist homeless clients to obtain  
20 and retain housing and reach greater levels of self-sufficiency or  
21 economic independence when appropriate, depending upon their individual  
22 situations.

23 NEW SECTION. Sec. 7. A new section is added to chapter 43.185C  
24 RCW to read as follows:

25 (1) The interagency council on homelessness, as defined in RCW  
26 43.185C.010, shall be convened not later than August 31, 2006, and  
27 shall meet at least two times each year and report to the appropriate  
28 committees of the legislature annually by December 31st on its  
29 activities.

30 (2) The interagency council on homelessness shall work to create  
31 greater levels of interagency coordination and to coordinate state  
32 agency efforts with the efforts of state and local entities addressing  
33 homelessness.

34 (3) The interagency council shall seek to:

35 (a) Align homeless-related housing and supportive service policies  
36 among state agencies;

1 (b) Identify ways in which providing housing with appropriate  
2 services can contribute to cost savings for state agencies;

3 (c) Identify policies and actions that may contribute to  
4 homelessness or interfere with its reduction;

5 (d) Review and improve strategies for discharge from state  
6 institutions that contribute to homelessness;

7 (e) Recommend policies to either improve practices or align  
8 resources, or both, including those policies requested by the  
9 affordable housing advisory board or through state and local housing  
10 plans; and

11 (f) Ensure that the housing status of people served by state  
12 programs is collected in consistent formats available for analysis.

13 **Sec. 8.** RCW 43.63A.655 and 1999 c 267 s 4 are each amended to read  
14 as follows:

15 (1) In order to improve services for the homeless, the department,  
16 within amounts appropriated by the legislature for this specific  
17 purpose, shall implement ((a)) the Washington homeless client  
18 management information system for the ongoing collection and ((analysis  
19 of)) updates of information about all homeless individuals in the  
20 state.

21 (2) Information about homeless individuals for the Washington  
22 homeless client management information system shall come from the  
23 Washington homeless census and from state agencies and community  
24 organizations providing services to homeless individuals and families.  
25 Personally identifying information about homeless individuals for the  
26 Washington homeless client management system may only be collected  
27 after having obtained informed, reasonably time limited written consent  
28 from the homeless individual to whom the information relates. Data  
29 collection shall be done in a manner consistent with federally informed  
30 consent guidelines regarding human research which, at a minimum,  
31 require that individuals be informed about the expected duration of  
32 their participation, an explanation of whom to contact for answers to  
33 pertinent questions about the data collection and their rights  
34 regarding their personal identifying information, an explanation  
35 regarding whom to contact in the event of injury to the individual  
36 related to the homeless client survey, a description of any reasonably

1 foreseeable risks to the homeless individual, and a statement  
2 describing the extent to which confidentiality of records identifying  
3 the individual will be maintained.

4 (3) The Washington homeless client management information system  
5 shall serve as an online information and referral system to enable  
6 local governments and providers to connect homeless persons in the data  
7 base with available housing and other support services. Local  
8 governments shall develop a capacity for continuous case management,  
9 including independent living plans, when appropriate, to assist  
10 homeless persons.

11 (4) The information in the Washington homeless client management  
12 information system will also provide the department with the  
13 information to consolidate and analyze data about the extent and nature  
14 of homelessness in Washington state, giving emphasis to information  
15 about the extent and nature of homelessness in Washington state among  
16 families with children.

17 (5) The system may be merged with other data gathering and  
18 reporting systems and shall:

19 (a) Protect the right of privacy of individuals;

20 (b) Provide for consultation and collaboration with all relevant  
21 state agencies including the department of social and health services,  
22 experts, and community organizations involved in the delivery of  
23 services to homeless persons; and

24 (c) Include related information held or gathered by other state  
25 agencies.

26 ~~((+2))~~ (6) Within amounts appropriated by the legislature, for  
27 this specific purpose, the department shall evaluate the information  
28 gathered and disseminate the analysis and the evaluation broadly, using  
29 appropriate computer networks as well as written reports.

30 (7) The Washington homeless client management information system  
31 shall be implemented by December 31, 2009, and updated with new  
32 homeless client information at least annually.

33 NEW SECTION. Sec. 9. (1) The department of community, trade, and  
34 economic development shall conduct a study to evaluate the potential  
35 development of a voluntary statewide, low-income household housing  
36 waiting list data base that would include information on all low-income

1 households requesting housing assistance for the purpose of connecting  
2 such households with appropriate housing opportunities. The study  
3 shall investigate and evaluate the following:

4 (a) The anticipated benefits of such a statewide waiting list to  
5 low-income households and low-income housing providers;

6 (b) The cost of implementing and maintaining the data base; and

7 (c) Best practices from other states or from counties in other  
8 states that currently have a similar data base.

9 The department shall report the results of this study to the  
10 appropriate committees of the legislature by December 31, 2007.

11 (2) This section expires December 31, 2007.

12 NEW SECTION. **Sec. 10.** A new section is added to chapter 43.185A  
13 RCW to read as follows:

14 (1) The department shall create or purchase, and implement by  
15 December 31, 2009, a master affordable housing data base that includes  
16 specific information about existing affordable rental housing stock in  
17 the state of Washington. The data base shall be maintained and  
18 continually updated by the department, and the department may  
19 cross-reference and exchange information between this data base and  
20 other existing state housing data bases.

21 (2) The data base shall include information on all rental units  
22 that meet the affordable housing definition and have received or  
23 continue to receive funding from the federal, state, or local  
24 government, or other nonprofit organization or financing through the  
25 Washington housing finance commission. The department shall encourage  
26 private landlords to voluntarily submit information about private  
27 rental units that are affordable for low-income households to be  
28 included in the data base.

29 (3) The data base shall include information about rental units that  
30 shall be determined by the department. However, the data base must  
31 include, at a minimum, measures for quality, cost, safety, and size.

32 (4) Other state agencies, local governments, local public agencies,  
33 including water and sewer districts, housing authorities, and other  
34 housing organizations shall cooperate with the department to create and  
35 update the affordable housing data base by providing to the department  
36 any requested existing information about rental housing units within  
37 the jurisdiction.

1 (5) The data base shall be searchable by the department, local  
2 governments, community housing organizations, including housing  
3 authorities, and the public according to housing characteristics  
4 determined by the department including, at a minimum, location, cost,  
5 and size. The data base will be utilized for data collection about  
6 Washington's affordable rental housing stock and will also serve as a  
7 low-income housing referral system to connect low-income households  
8 seeking housing with appropriate and available units.

9 NEW SECTION. **Sec. 11.** A new section is added to chapter 43.185A  
10 RCW to read as follows:

11 The department, the housing finance commission, the affordable  
12 housing advisory board, and all local governments, housing authorities,  
13 and other nonprofits receiving state housing funds or financing through  
14 the housing finance commission shall, by December 31, 2006, and  
15 annually thereafter, review current housing reporting requirements  
16 related to housing programs and services and give recommendations to  
17 streamline and simplify all planning and reporting requirements to the  
18 department of community, trade, and economic development, which will  
19 compile and present the recommendations annually to the legislature.  
20 The entities listed in this section shall also give recommendations for  
21 additional legislative actions that could promote affordable housing  
22 and end homelessness.

23 NEW SECTION. **Sec. 12.** A new section is added to chapter 35.82 RCW  
24 to read as follows:

25 A joint housing authority may be dissolved pursuant to  
26 substantially identical resolutions or ordinances of the legislative  
27 authority of each of the counties or cities that previously authorized  
28 that joint housing authority. These resolutions or ordinances may  
29 authorize the execution of an agreement among the counties, cities, and  
30 the joint housing authority that provides for the timing, distribution  
31 of assets, obligations and liabilities, and other matters deemed  
32 necessary or appropriate by the legislative authorities.

33 (2) Each resolution or ordinance dissolving a joint housing  
34 authority shall provide for the following:

35 (a) Activation or reactivation of a housing authority or joint  
36 housing authority by each of the cities and counties that previously

1 authorized the joint housing authority and any additional cities or  
2 counties that are then to be added. This activation or reactivation  
3 takes effect upon the dissolution of the joint housing authority or at  
4 an earlier time provided in the resolutions or ordinances dissolving  
5 the joint housing authority; and

6 (b) Distribution of all assets, obligations, and liabilities of the  
7 joint housing authority to the housing authorities activated or  
8 reactivated under (a) of this subsection. Distribution of assets,  
9 obligations, and liabilities may be based on any, or a combination of  
10 any of, the following considerations:

11 (i) The population within the boundaries of each of the housing  
12 authorities activated or reactivated under (a) of this subsection;

13 (ii) The number of housing units owned by the joint housing  
14 authority within the boundaries of each of the housing authorities  
15 activated or reactivated under (a) of this subsection;

16 (iii) The number of low-income residents within the boundaries of  
17 each of the housing authorities activated or reactivated under (a) of  
18 this subsection;

19 (iv) The effect of the proposed distribution on the viability of  
20 the housing authorities activated or reactivated under (a) of this  
21 subsection; or

22 (v) Any other reasonable criteria to determine the distribution of  
23 assets, obligations, and liabilities.

24 (3) Each activated or reactivated housing authority shall be  
25 responsible for debt service on bonds or other obligations issued or  
26 incurred to finance the acquisition, construction, or improvement of  
27 the projects, properties, and other assets that have been distributed  
28 to them under the dissolution. However, if an outstanding bond issue  
29 is secured in whole or in part by the general revenues of the joint  
30 housing authority being dissolved, each housing authority activated or  
31 reactivated under subsection (2)(a) of this section shall remain  
32 jointly and severally liable for retirement of debt service through  
33 repayment of those outstanding bonds and other obligations of the joint  
34 housing authority until paid or defeased, from general revenues of each  
35 of the activated or reactivated housing authorities, and from any other  
36 revenues and accounts that had been expressly pledged by the joint  
37 housing authority to the payment of those bonds or other obligations.  
38 As used in this subsection, "general revenues" means all revenues of a

1 housing authority from any source, but only to the extent that those  
2 revenues are available to pay debt service on bonds or other  
3 obligations and are not then or thereafter pledged or restricted by  
4 law, regulation, contract, covenant, resolution, deed of trust, or  
5 otherwise, solely to another particular purpose.

6 NEW SECTION. **Sec. 13.** RCW 43.63A.655 is recodified as a section  
7 in chapter 43.185C RCW.

8 NEW SECTION. **Sec. 14.** If specific funding is not transferred from  
9 the general fund to the Washington housing trust fund for the purposes  
10 of this act, referencing this act by bill or chapter number, by June  
11 30, 2006, in the omnibus appropriations act, this act is null and  
12 void."

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By Committee on Ways & Means

**ADOPTED 03/03/2006**

13 On page 1, line 1 of the title, after "housing;" strike the  
14 remainder of the title and insert "amending RCW 43.185C.010 and  
15 43.63A.655; adding new sections to chapter 43.185 RCW; adding new  
16 sections to chapter 43.185A RCW; adding new sections to chapter 43.185C  
17 RCW; adding a new section to chapter 35.82 RCW; creating new sections;  
18 recodifying RCW 43.63A.655; and providing an expiration date."

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